

PTO/SB/21 (02-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/629,192
		Filing Date	07/29/2003
		First Named Inventor	L. A. Koman
		Art Unit	3732
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission		Attorney Docket Number	24004350.010026US

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard V. Wells, Reg. No. 53,757 Baker & McKenzie LLP
Signature	
Date	10/1/04

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Attorney Docket No.  
24004350.010026US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
L. Andrew Koman, et al. ) Group Art Unit: 3732  
Serial No.: 10/629,192 ) Examiner: Not yet assigned  
Filed: July 29, 2003 )  
For: **Fixation Device and Method for**  
**Treating Contractures and Other**  
**Orthopedic Indications** )

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**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant(s) hereby notify the U.S. Patent and Trademark Office of the document(s) which is/are listed on the attached Form PTO-SB/08B. One copy of the listed documents is submitted herewith.

X (1) This IDS does NOT require a fee or 37 C.F.R. § 1.97(e) statement because it is being filed (check all that apply):

       (a) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d); **OR**

       (b) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; **OR**

X (c) Before the mailing of a first Office action on the merits; **OR**

(d) Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

2) This information disclosure statement is filed before the mailing date of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application, and (check only one):

(a) Is accompanied by the fee set forth in § 1.17(p); **OR**

(b) Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; **OR**

(c) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

(3) This Information disclosure statement is filed on or before payment of the issue fee and is accompanied by the fee set forth in § 1.17(p); **AND** (check only one):

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information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

4) This Information disclosure statement is filed after payment of the issue fee and Applicant(s) understand that it will be placed in the file but will not be considered by the Office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant(s) does/do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Please charge any deficiencies in connection with this Information Disclosure Statement to Deposit Account No. 13-0480 (please reference 24004350.010026US).

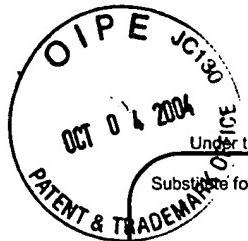
Respectfully submitted,



\_\_\_\_\_  
Richard V. Wells  
Reg. No. 53,757  
Attorney for Applicant

Date: 1 October 2004

**Baker & McKenzie LLP**  
2300 Trammell Crow Center  
2001 Ross Avenue  
Dallas, TX 75201  
(214) 978-3040 (direct)  
(214) 978-3099 (facsimile)



PTO/SB/08B (08-03)

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<p style="text-align: right;">Substitute for form 1449/PTO</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p><i>(Use as many sheets as necessary)</i></p>				<b>Complete if Known</b>	
				<b>Application Number</b>	10/629,192
				<b>Filing Date</b>	07/29/2003
				<b>First Named Inventor</b>	L. A. Koman
				<b>Art Unit</b>	3732
				<b>Examiner Name</b>	Not yet assigned
Sheet	1	of	1	Attorney Docket Number	24004350.010026US

## NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**1** Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached.

Applicant's unique citation designation number (optional). - Applicant is to place a check mark here if English language Translation is attached.  
This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:  
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